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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

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MARC SPITZER, Chairman
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KRISTIN K. MAYES

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY	
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IN THE MATTER OF THE APPLICATION OF
WOODRUFF WATER COMPANY, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE WATER SERVICE IN
PINAL COUNTY, ARIZONA.

DOCKET NO. W-04264A-04-0438

IN THE MATTER OF THE APPLICATION OF
WOODRUFF UTILITY COMPANY, INC. FOR A
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE SEWER SERVICE IN
PINAL COUNTY, ARIZONA.

DOCKET NO. SW-04265A-04-0439

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY, AN ARIZONA
CORPORATION, TO EXTEND ITS EXISTING
CERTIFICATES OF CONVENIENCE AND
NECESSITY AT CASA GRANDE AND
COOLIDGE, PINAL COUNTY, ARIZONA.

DOCKET NO. W-01445A-04-0755

THIRD
PROCEDURAL ORDER

BY THE COMMISSION:

On June 10, 2004, Woodruff Water Company, Inc. ("WWC") and Woodruff Utility Company, Inc. ("WUC"), each filed an application for a Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water and public wastewater utility service, respectively, to various parts of Pinal County, Arizona.

On June 30, 2004, the Commission's Utilities Division ("Staff") issued a notice of insufficiency which indicated that WWC's and WUCS's applications had not met the sufficiency requirements of A.A.C. R14-2-411(C), and A.A.C. R14-2-610(C).

On October 7, 2004, Staff issued a letter of administrative completeness to WWC and WUC.

On October 14, 2004, by Procedural Order, a hearing was set in this matter.

On October 19, 2004, Arizona Water Company ("AWC") filed an application to extend its Certificate(s) to include the area in which WWC is seeking a Certificate of provide water service, an

1 application to intervene in the WWC proceeding in the above-captioned matter and a Motion to
2 Consolidate the proceedings with respect to WWC's application to provide water service.

3 On November 4, 2004, by Procedural Order, AWC was granted intervention, the above-
4 captioned matters consolidated for purposes of hearing, and a pre-hearing conference scheduled for
5 November 18, 2004.

6 On November 5, 2004, Staff filed a Motion to Extend because of the issues raised by the
7 competing applications filed by WWC and AWC with respect to the provision of water service in the
8 area sought to be certificated herein. Staff requested that the current procedural schedule established
9 by the Commission's October 14, 2004, Procedural Order in this proceeding be vacated and the time-
10 frame for the above-captioned proceedings be extended to allow for the review and consideration of
11 the pending applications in one hearing.

12 On November 10, 2004, AWC filed Joinder in Staff's Motion to Extend. WWC and WUC
13 filed a response indicating that they did not object to a short delay. WWC and WUC also indicated
14 that public notice had been provided as previously ordered.

15 Accordingly, the time-frame in the WWC and WUC proceedings should be suspended
16 pending Staff's initial review of AWC's application in Docket No. W-01445A-04-0775 to determine
17 whether it meets the sufficiency requirements of A.A.C. R14-2-411. The current procedural schedule
18 with respect to WWC's and WUC's applications should be vacated. However, since public notice of
19 their respective applications was provided by October 31, 2004, the hearing scheduled for November
20 30, 2004, should be convened for the purpose of taking public comment. The evidentiary portion of
21 the proceeding on WWC's and WUC's applications should be held concurrently with the hearing on
22 AWC's application. The November 18, 2004, pre-hearing conference should be held as previously
23 scheduled.

24 IT IS THEREFORE ORDERED that the Motion to Extend by Staff is hereby granted until
25 Staff issues a letter of administrative completeness finding that the application of Arizona Water
26 Company meets the sufficiency requirements of A.A.C. R14-2-411.

27 IT IS FURTHER ORDERED that upon the issuance of a letter of administrative completeness
28 to Arizona Water Company, the time-frame shall be restarted effective on the date said letter is


1 issued.

2 IT IS FURTHER ORDERED that a pre-hearing conference shall be held on November 18,
3 2004, at 2:00 p.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona, as
4 previously scheduled.

5 IT IS FURTHER ORDERED that public comment only shall be taken at the hearing
6 scheduled for November 30, 2004, at 9:30 a.m., at the Commission's offices, 1200 West Washington
7 Street, Phoenix, Arizona.

8 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,
9 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by
10 ruling at hearing.

11 DATED this 10TH day of November, 2004.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

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15 Copies of the foregoing mailed/delivered
this 10 day of November, 2004 to:

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